

REMARKS

By this amendment, claims 2-3, 6, 8, 10, 12, 14, and 16 have been amended. Claims 1, 4, and 20-26 have been canceled. Claims 2-3 and 5-19 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

The title has been amended to correct a typographical error to conform with the spelling in the specification.

Claims 1-2, 4-5, 7-9, 11-13, 15-17, and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mouli et al. (US 2004/0251398). This rejection is respectfully traversed.

Claims 5 and 8 recite, *inter alia*, a photoconversion device comprising “a first doped region having a first conductivity type ...; a second doped region having a second conductivity type ...; and the first and second doped regions both including indium ions, the indium ions in the first region acting as electron acceptors, the indium ions in the second region acting as electron donors” (emphasis added). Claims 12 and 16 recite, *inter alia*, a processing system comprising “a photosensitive area ... having a first doped region having a first conductivity type ... and a second doped region having a second conductivity type ..., wherein said first and second doped regions are doped with indium” (emphasis added). Mouli et al. does not teach or suggest these limitations. Mouli et al. discloses “undoped oxide layer 280 is next subjected to a very shallow implant 179 ... for implanting p-type ions, such as boron, beryllium, indium or magnesium ... to form p-type doped oxide layer 281.” Paragraph 0060. Mouli et al. further discloses “form[ing] n-doped region 126.... [N]-type dopants such as arsenic, antimony, or phosphorous may be implanted into ... n-doped region 126.” Paragraph 0048 (emphasis added). Mouli et al. discloses only the p-type regions doped with

indium. There is no first and second conductivity type regions doped with indium. Since Mouli et al. does not disclose all the limitations of claims 1, 5, 8, 12, and 16, claims 1, 5, 8, 12, and 16 are not anticipated by Mouli et al.

Claim 2, as amended, and claim 7 depend from claim 5 and are patentable at least for the reasons mentioned above. Claims 9 and 11 depend from claim 8 and are patentable at least for the reasons mentioned above. Claims 13 and 15 depend from claim 12 and are patentable at least for the reasons mentioned above. Claims 17 and 19 depend from claim 16 and are patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of claims 1-2, 4-5, 7-9, 11-13, 15-17, and 19 be withdrawn.

Claims 3, 6, 10, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mouli et al. This rejection is respectfully traversed. Claims 6, 10, 14, and 18 depend, respectively, from claims 5, 8, 12, and 16 and are patentable at least for the reasons mentioned above.

Further, Applicant respectfully submits that Mouli et al. is not a proper prior art reference under 35 U.S.C. § 103(a). The present application was filed on October 9, 2003. U.S. Patent Application No. 2004/0251398 A1 ("Mouli et al.") was filed on August 27, 2003. As a result, Mouli et al. qualifies as prior art only under 35 U.S.C. § 102(e). The subject matter of Mouli et al. and of the claimed invention were, at the time the invention was made, subject to an obligation of assignment to the same entity: Micron Technology, Inc. The Assignment for this application was recorded in the PTO on October 9, 2003 on Reel 014599, Frame 0366. The Assignee of Mouli et al. is Micron Technology, Inc., which was recorded in the PTO on August 27, 2003, on Reel 014450, Frame 0426. Therefore, section 35 U.S.C. § 103(c) is applicable to the present situation.

According to MPEP § 706.02(l)(1), "[e]ffective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention 'were, at the time the invention was made, . . . subject to an obligation of assignment to the same person.'" Accordingly, Mouli et al. is not a valid prior art reference and should be excluded under 35 U.S.C. § 103. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 3, 6, 10, 14, and 18 be withdrawn and the claims allowed.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Dated: October 3, 2005

Respectfully submitted,

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